Supreme Court, U.S.
FILED

98 1892 FEB 19 1999

OFFICE OF THE CLERK

No. _____

In the

Supreme Court of the United States

October Term, 1999

Andrew M. Franklin
Petitioner

V.

United States
Respondents.

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

ANDREW M. FRANKLIN Counsel of Record
1631 JOHNSON STREET
ORANGEBURG, SOUTH CAROLINA 29115

GOD LAWYER for Petitioner

CL - A

29 pp

BEST AVAILABLE COPY

QUESTION AND STATEMENTS PRESENTED FOR REVIEW

Under The Constitution of The UNITED STATES SECTION 8.8, does a Veteran a Citizen of The United States have a Right to APPEAL FOR PAYMENT,(MONEY), For U.S. INFRINGEMENT of PATENT and IMPLIED CONTRACT VIOLATIONS over an extended period of time. (DESIGN INVENTION)?

PARTIES TO THE PROCEEDING

Tne parties to this proceeding are Petitioner Andrew M.Franklin (hereinafter referred to as "Franklin"), and Respondents United States (hereinafter referred to as"United States"),

TABLE OF CONTENTS

QUESTION PRESENTED FOR REVIEW..... i
PARTIES TO THE PROCEEDING ii
TABLE OF AUTHORITIES iv
OPINIONS BELOW 4
JURISDICTIONAL GROUNDS 4
STATUTE INVOLVED 4
STATEMENT OF THE CASE 5
REASONS RELIED ON FOR
ALLOWANCE OF THE WRIT
The Lower Court of Appeals Decision to Dismiss Plaintiff's Claim is in Conflict with the GAT ACT. of the United States Congress 1997 and Section 8.8 Const. of the U.S.,14th Amn., Art. 1, Art.V1(Religion).See Infringement of Patent page 14 par.8... 9
CONCLUSION 10
APPENDIX:

Opinion of the Court of Appeals dated Aug. 26,1998 ..... A25

Memorandum Opinion of U.S. Court of Claim filed Aug. 25,1998 ..... A23

Judgement Entry of U.S.Court of Fed.Claim filed Aug. 25, 1998 ..... A25

Order of the Court of Appeals filed Jan 11, 1999 ..... A27

IN CONCLUSION 29

P.S. 30

IN THE SUPREME COURT OF THE UNITED STATES
OCTOBER TERM, 1999

No. 99-_____

ANDREW M. FRANKLIN,
Petitioner,

V.

UNITED STATES
Respondents.

PETITIONER FOR WRIT OF CERTIORARI
TO THE UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

Andrew m Franklin petitions the Court to grant a writ of certiorari to review the decision of the United States Court of Appeals for the Sixth Circuit which affirmed the grant of summary judgment to Respondents on Petitioner's claim that upon receiving notice of the fact that DESIGN PATENT were GROSSLY INFRINGED by the United States. (Respondents), of witch Petitioner had permission to SUE Respondents.

1. " If a Patent is Infringed, the Patenee may sue for relief in the appropriate Federal court".

2. " He may ask the court for an INJUNCTION to prevent the continuation of the Infringement, and he may also ask the court for an AWARD of DAMAGES because of the INFRINGEMENT".

3. " If the United States Government Infringes a patent, the Patentee has a remedy for DAMAGES in the Court of Claims of the United States ".

4. " The government may use any Patented INVENTION without permission of the Patentee, BUT the Patentee is ENTITLED to obtain COMPENSATION for the use by or for the Government".

OPINIONS BELOW

Waiver All openions and orders below and GRANT Petitioner's stated SETTLEMENT Immediately: based on above quotations of PATENT VIOLATIONS and IMPLIED CONTRACT VIOLATIONS.

GENERAL INFORMATION CONCERNING PATENT page 26 par. 1 and 2, waive par. #3 . INFRINGEMENT OF PATENTS.

JURISDICTIONAL GROUNDS

The United Stases Court of Appeals for the Federal Circuit issued it's opinion on JAN. 11, 1999. That Court denied the Petition for Rehearing on Aug. 25,1999. This Court has jurisdiction under 28 U.S.C. ALL OF THE ABOVE DECISION BY THE COURTS WERE APPEAL BY PETITIONER. ALL AGAINST THE WEIGHT OF EVIDENCE.

STATUTE INVOLVED

Section 8.8, ARTICLE 1, V1, Par. #3, 14th Amendment and THE MORAL LAW. CONSTITUTION OF U.S.A.

(a) I AM INVOKING THE AUTHORITY OF THE MORAL LAW (WILL OF GOD), MEDIATED BY SUCH REPRESENTATIVE AUTHORITIES AS THE BIBLE and THE CHURCH.
I AM RELIGION.

STATEMENT OF THE CASE

A. Statement of Facts

This statement is in reference to notification forwarded to the EXECUTIVE CONGRESS OF THE UNITED STATES OF AMERICA; About five years ago AUG. 26/1994 claiming the ORIGINAL DESIGN of one VERTICAL TAKE-OFF JET FIGHTER AIR PLANE,one SPACE SHUTTLE COLUMBIA CRAFT (Pro.to.type), one PARACHUTE AIRPLANE LANDING (SAFETY DEVICE)., PROPOSE, and one GEAR DRIVEN WRENCH as is manufactured by the country of TAIWAN CHINA, by-way of; believe;FOUL-PLAY etc. ; U.S. GOVERNMENT INFRINGEMENT. for the abouve reason I am filing SUITS for RELIEF, DAMAGES the sum of(10,000,000,000.^{oo}) TEN BILLION DOLLARS. and(to be determined +).etc.

1. I am asking the courts for an INJUNCTION ON ALL FOUR (4) presentations and I am also asking the courts for an AWORD OF DAMAGES as stated above. because of the INFRINGEMENT and that the DAMAGES be based on the EXTREME TIME LAPSE that was not within my AUTHORITY but that of the department of COMMERCE. Page 26 INFRINGEMENT of PATENT (INVENTOR) Par. 1-4.

2. If the U.S. GOVERNMENT INFRINGES a Patent ,(INVENTOR), the patentee has a remedy for DAMAGES and CLAIMS IN THE COURTS of CLAIMS OF THE UNITED STATES.
   Please WAIVER all time requirements where this SUIT is concerned,(Book time requirements).
3. The GOVERNMENT may use any PATENTED INVENTION without permission of the PATENTEE, but the PATENTEE is entitle to obtain COMPENSATION for the use by or for the GOVERNMENT.

I seek compensation for my DESIGNS and INVENTIONS work, because some of the above were labored under EXTREME PROTEST and ACTION.

This complaint is a follow-up Complaint against THE UNITED STATES GOVERNMENT, The following AGENCIES are involved, The (MC.),(NAV), (NAS), (TRN), and (COM). All of the above AGENCIES are involved in the stealing of DESIGNS from my house and putting them into production without my written concent or knowledge.FIRST case in point, A GEAR DRIVEN WRENCH.

2. A GEAR DRIVEN WRENCH was presented to THE DEPARTMENT OF COMMERCE PATENT DEVISION about thirty three (33) years ago by petitioner for patent consideration and while awaiting notification of it's success; and as I was shoping in the TOOL section of K-MART STORES, there on sale for $ 59.00 was my GEAR DRIVEN WRENCH that I had design and sent to the OFFICE of PATENT and TRADEMARK some thirty three (33) years ago being marketed under the TRADEMARK NAME, MADE IN TAIWAN CHINA.

3. The patent Office cannot assis in the filing of applications for patents in foreign countries. Under United States Law it is necessary , in the case of inventions made in the United States, to obtain a license from the Commissioner of Patent before applying for a patent in a foreign country. Petitioner made no application for patent license in the foreign country of TAIWAN CHINA.

4. THE TOOL believed to have ben stolen out of the PATENT OFFICE while under the authority of the U.S. GOVERNMENT and it's Employes. I havent receive any MONEY at all for my DESIGN in the stated time frame above or any other time.

5. About three (3) years ago I file a letter of complaint with the UNITED STATES CLAIMS DEPARTMENT and waited for approximately one (1) year and receive a notice by mail to the effect that he CONGRESSMAN JAMES E. CLYBURN's Office will help you get your WRENCH DESIGN PATENT; this was about three (3) YEARS AGO, AND to my knowledge the TOOL is still being MARKET and MANUFACTURED by the CHINESE without my having sign a FOREIGN application for PATENT in the country of TAIWAN CHINA.

6. ASSIGNMENTS AND LICENSES

A patent is personal property and may be sold to others or mortgaged; it may be bequeathed by a will, and it may pass to the heirs of a deceased patentee. The patent Law provide for the transfer or sale of a patent, or of an aplication for patent, by an INSTRUMENT in WRITING. Such an instrument is referred to as an assignment and may transfer the entire interest in the patent. The assignee, when the patent is assigned to him, becomes the owner of the patent and he has the same rights that the original patentee has. I did not make any such assignment or took any action as stated above; ever!!!.

7. JOINT OWNERSHIP

Any joint owner of a patent, no matter how small his part interest, MAY MAKE, USE,AND SELL THE INVENTION FOR HIS OWN PROFIT, without regard to the other owner, and may sell his interest or any part of it, or grant LICENSES to others, without regard to the other joint owner, unless the joint owners have made a contract governing their relation to each other.

REASONS RELIED ON FOR ALLOWANCE OF A WRIT

The Lower Court of Appeals Decision to Dismiss Plaintiff's Claim is in conflict with the GAT ACT. of the United States Congress 1997.

A writ of certiorari should be granted in this case because by dismissing Petitioner Claim the U.S. Court of Claims is saying the situation does not exist; it exist.

We are dealing with four(4) pieces Equipment, (1) A GEAR DRIVEN WRENCH (A TOOL), stolen from the U.S. Patent Office, (2) A VERTICLE TAKE-OFF JET FIGHTER AIRPLANE,Design stolen, (3) THE SPACE SHUTTLE COLUMBIA Design stolen; (I say stolen because I was never PAID to date, and (4) THE PARACHUTE AIRPLANE LANDING,(A Safety Device) Propose, a waiting ACTION from the AERONAUTICAL and SPACE ADMINISTRATION for some 25-30 years. PATENT PENDING View the above four (4) Pieces as one case.

See Infringement of Patent page 14par.8.

CONCLUSION

For the foregoing reason, it is respectfully urged that the Petition for Writ of Certiorari be granted.

Respectfully submitted,

Andrew M.Franklin Counsel
of Record
1631 Johnson Street
Orangeburg, South Carolina
.

God Lawyer for Petitioner
Andrew M. Franklin

No. 98-679 C

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE SIXTH CIRCUIT

ANDREW M. FRANKLIN

Plaintiff-Appellant,
V.
UNITED STATES

On Appeal from the United States Court of Federal Claims., In Case No. 98-CV-679

Filed: JAN.,11,1999

Before NEWMAN,LOURIE,AND CLEVENGER, Circuit Judge
CLEVENGER, Circuit Judge

CLAIM and Complaint Dismiss with PREJUDICE.

NOTE:
THE ABOVE DISMISSEL IS OUT OF ORDER.
Some of the ACTION above was had under EXTREME PROTEST; the Judges had little or no knowledge of the situation to have come to such a conclusion.

1. I Andrew M. Franklin Patitioner CLAIM EXCLUSIVE RIGHTS AND PRIVILEGES TO THE SPACE SHUTTLE COLUMBIA DESIGN.(PRO.TO.TYPE).

2. Former Astronaut RON McNAER came to my drawing table at FORT JACKSON,S.C. in the Engineering Dept. in the approximate year of 1980 and whispered into my ears, quote", THEY WAUNT YOU TO START THINKING ABOUT A SPACE CRAFT to take them out yonder and bring them back," end quote, REPEATEDLY. (AN IMPLIED VERBAL CONTRACT). OF WITCH NO MONIES WERE EVER PAID AT ALL TO ME FOR DESIGN WORK.

3. A few weeks later I sketch the same system that are used today on a piece of rough news paper; news paper to keep foreigners from taking long distance pictures of the DESIGN. Useing a HUGE FUELTANK TO GET THE SPACE-CRAFT OF THE LAUNCH PAD AND CARRY THE VEHICLE FREE THE TOTAL DISTANCE TO OUTER SPACE BUT E-JECT BEFORE ENTERING OUTER SPACE: THUS GIVING THE SPACE VEHICLE FUL FUEL CAPACITY TO ORBIT EARTH AT WILL; AND REENTER EARTH'S ATMOSPHERE FREE AND LAND ON A PREPARED RUN-WAY JUST LIKE AN ORDINARY AIRPLANE.

4. I was monitored regularly by RON McNAER in my sleep from out-side my bedroom window till I had completed this DESIGN and carried it to work and handed it over to him (RON McNAER); where it was moved to REALITY; approximately 6-10 month later I saw that same SPACE-CRAFT system on public T.V. haveing clay tile heat problems.

5. I am requesting a CASH SETTLEMENT for my DESIGN LABOR and ANNUAL ROYALTIES within thirty (30) days from the above date of, then 8-26-94; from 1980 to 1998 then, I havent made any money for my DESIGNING of the SPACE SHUTTLE COLUMBIA. I understand the U.S. Government is doing very well in the space travel business; no overhead.

BEST AVAILABLE COPY

This is my reason for filing a DAMAGE SUIT against the UNITED STATES GOVERNMENT,(BASED ON BREACH OF CONTRACT and PATENT INFRINGEMENT). (IMPLIED CONTRACT OR ANY OTHER).

6. The court's increasing willingness to fend off state regulation of business matters produced a pair of decisions announced March 1, 1897. In Allgeyer V. Louisiana. Justice Peckham set out the court's views that the liberty protected by the 14th Amendment included "the right of the citizen ... to earn his livelihood by any lawful calling; to pursue any livelihood or avocation, and for that purpose to enter into all CONTRACTS which may be proper, necessary and essential to those ends. (Supreme Court- pa. 99 FREEDOM OF CONTRACT PAR. #2).

7. The Constitution of the United States SECCTION 8.8 Guarantees Patitioner the EXCLUSIVE RIGHTS to his invention and or DESIGNS.
Section 8.8 To promote the progress of science and useful arts by securing for limited time to authors and inventors the exclusive rights to their respective writings and discoveries.

ARTICLE #1 Congress shall make no law respecting an establishment of RELIGION, or prohibiting the free execise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to patition the Government for a redress of grievances.

ARTICLE V1. The Senators and Representives before mentioned, and the members of the several states Legislatures, and all executive and Judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no RELIGIOUS test shall ever be required as a qualification to any office or public trust under the United States.

PETITIONER did not grant LICENSES to TAIWAN CHINA OR THE UNITED STATES GOVERNMENT I had no joint ownership whatsoever with them,all of the above action took place without my knowledge and permission, since the patentee has the right to exclude others from making, useing or selling the invention, no one else may do any of these things without his permission. A License is the permission granted by the patent owner to make, use, or sell the invention. no such License or permission were ever granted RESPONDENTS by PETITIONER in all thirty three (33) years of the GEAR DRIVEN WRENCH EXISTENCE,commonly known as the SIDE-WINDER TOOL on store shelvs displays.

PLEASE WAIVE ALL TIME REQUIREMENTS WHERE THIS TOOL IS CONCERN.

8. INFRINGEMENT OF PATENT

Infringement of a patent consists in the unauthorized MAKING, USING, or SELLING of the patented invention within the territory of the United States, during the term of the patent. If a patent is infringed, the patentee may SUE for relief in the appropriate Federal court. He may ask the court for an INJUNCTION to prevent the continuation of the infringement, and he may also ask the court for an AWARD of DAMAGES because of the infringement. The SUPREME Court may thereafter take a case by writ of certioari. If the United States Government infringes a patent,the patentee has a remedy for damages in the Court of Claims of the United States. The GOVERNMENT may use any patented invention without permission of the patentee, BUT the patentee is entitled to obtain compensation for the use by or for the Government.

PETITIONER CLAIME EXCLUSIVE RIGHTS and PRIVILEGES TO THIS GEAR DRIVEN WRENCH or TOOL commonly known as the SIDE-WINDER TOOL, PETITIONER DESIGN THE ABOVE MENTION TOOL SOME THIRTY THREE YEARS AGO WHILE BEING EMPLOYED BY THE THEN UTICAR TOOL COMPANY ORANGEBURG S.C. approx.,1966.

This my reason for filing a DAMAGE SUIT against the UNITED STATES GOVERNMENT, (based on Infringement).

9. The Constitution of the United States SECTION 8.8 Guarantees Patitioner the EXCLUSIVE RIGHTS to his invention .

Section 8.8 To promote the progress of science and useful arts by securing for limited time to authors and inventors the exclusive rights to their respective writings and discoveries.

ARTICLE 1. Congress shall make no law respecting an establishment of RELIGION, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people peaceably to assemble and to patition the Government for a redress of grievances.

ARTICLE V1. The Senators and Representives before mentioned, and the members of the several states Legislatures, and all executive and judicial officers, both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no RELIGIOUS test shall ever be required as a qualification to any office or public trust under the United States.

PETITIONED CLAIM RELIGION AND IS RELIGION AS IT IS STATED ABOVE IN THE ARTICLES.

PETITIONED CLAIM ALL EXCLUSIVE RIGHTS AND PRIVILEGES UNDER THESE TWO (2) ARTICLE ABOVE.

1. This complaint is in refurance to an IDEAR I had concerning AIRPLANE CRASHES. Apparently few people concern them-selves with things of this matter, but I, a concern citizen of the U.S.A.; thaught I could make a difference in the number of people killed in Airplane Crashe, so I wrote-up an idear I had in mind and presented it,(The Invention letter), to THE AERONAUTICAL AND SPACE ADMINISTRATION for consideration some twenty five or thirty(25-30) years ago. The response was as follows, if we Respondent, decide to look into the matter, your LETTER INVENTION will be given every consideration, sence then Two Groups of people have presented DEMONSTRATIONS on public T.V. 3-5 years ago on THE PARACHUTE AIRPLANE LANDING; so because of the above ACTION; it was CLEAR what the ADMINISTRATION had in mind.

2. I presented letters to THE AERONAUTICLE AND SPACE ADMINISTRATION Reclaiming my long time INVENTION and UNPAID LIEN I CLAIM ON THAT PARTICULAR DESIGN. I have sence made a DRAWING to further demonstrate it's future potential,if used. (Patent Pending).

3. I claim exclusive Rights and Privileges to the PARACHUTE AIRPLANE LANDING,(A Safety Device). All Rights Reserved.

4. This is my reason for filing a DAMAGE SUITE against the United States Government,(BASED ON AN IMPLIED CONTRACTUAL AGREEMENT AND PATENT INFRINGEMENT).(Violations).

5. The Constitution Of The United States SECTION 8.8 Guarantees Patitioner the EXCLUSIVE RIGHTS to his inventions.("Section 8.8 To promote progress of science and useful arts by securing for limited time to authors and Inventors the Exclusive Rights to their respective writings and discoveries.").

Constitution of the United States Article #1(Religion), Article #V1 par. #3 (Religion).

6. If the AIRPLANE SAFETY DEVICE spoken of is installed on all Airplanes; both COMMERCIAL and PRIVATE you should see a drop in Airplane CRASH FATALITY by ninety percent (90 %) or better; I am not saying you are going to save the Airplane without a scratch on it and it's Passengers, what I am saying is this, you will have a lot better looking sight after a CRASH than you have had in the past; you waunt have that Bloody mess that's associated with Airplane CRASHES. (" The PARACHUTE AIRPLANE LANDING SAFETY DEVICE DESIGN Works").

I have the knowledge and the proven experience to put to gether a workable SAFETY PACKAGE of this nature and Guarantee it success for many years to come; case in point, THE COLUMBIA SPACE SHUTTLE DESIGN; I Design it!!!

PETITIONER requested an INJUNCTION through the lower court to prevent future continuation and continuation of Respondent and private INFRINGEMENT; (Foreign), of the PARACHUTE AIR PLANE LANDING SAFETY DEVICE DESIGN. INJUNCTION believed PENDING.

3. It is my understanding that the VERTICLE TAKE-OFF JET FIGHTER AIRPLANE made quite a name for it self in the KOREAN CONFLICT(WAR), where it served so proudly with it's unique characteristics; being the only one of it's kind, without an equal, is as follows.

(a) It can fly at extremely fast speeds three (3) feet from the ground, thus thus giving it the ability to deliver wounded soldiers to the field Hospital within minutes, resulting in the saving of countless number of wounded Servicemen lives; because of it's ability to function without a RUN-WAY.

(b) It have the ability to function in all types of rough tirains, swamps, grassie fields, behind hills, over water fil rivers and even lo-lying brush areas, from the window sills of Sky-Scraper buildings , even the mountaine of BOSNIA YUGOSLAVIA. During surveillance work it can even hover ninety thousand feet from Earth surface for ten's of hours at a time without landing.

with such an outstanding Performance record, I am sure you will feel Justified in paying the small amount Petitioner is asking for it's DESIGN; after all the Enemy could have had it.

It is Petitioner understanding that some thirty (30) persons were receiving regular monthly CHECKS from it's existance ILLEGALLY and the owner nothing, this took place for many years without JUSTICE being served PETITIONER.

1. THE VERTICLE TAKE-OFF FIGHTER JET AIRPLANE
The second case in point, this Airplane came out of a vision I had as a young boy, age being approximately 9-13 years old; I kept seeing this little Airplane behind a hill over the verticle horizon in my mind coming up and landing, coming up and landing, as if it were playing a game behind the hill. I could not separate my-self from this vision; it was al.ways there in my mind; so I decided to put it to print and made a design of the VISION witch turned out to be a JET FIGHTER AIRPLANE THAT COULD TAKE-OFF VERTICLELY, I model it after the old AIR FORCE FIGHTER JET (JR TYPE) that uses a run.way. After careful observation I compared it with the vision and saught to make it fit the vision; by making it come-up; straight-up in design instead of being depending on a run-way. Yet I could not vision a strong enough force to lift the unit repeatedly without failure.(EVER). I put the design away for about a year or two, thaught about it constently and one night as I was lying in bed it came to me; the thaught of BY.PASSING THE MAIN ENGINE AND USEING IT'S THRUST TO LIFT THE UNIT STRAIGHT.UP and through a gradual closing of the BY.PASS the craft would ingage a forward moving motion before it fel considerablely. This system appears to be fool-proof and full of positive action.

2. My complaint is a.gainst THE U.S. MARINE CORPS. They were the ones that baught the stolen design, MARKET,MANUFACTURED AND PUT THE DESIGN INTO PRODUCTIVITY. It is said that the HOLY SPIRIT OR JESUS stold THE VERTICLE TAKE-OFF JET FIGHTER AIRPLANE DESIGN from Petitioner's home some years ago and sold it to THE U.S. MARINE CORPS. (IT'S PRESENTLY LABLED HERRIER JET).

PETITIONER CLAIM RELIGION AND IS RELIGION, AS IT IS STATED ABOVE IN THE ARTICLE.

PERTITIONER CLAIM ALL EXCLUSIVE RIGHTS AND PRIVILEGES UNDER THESE TWO (2) ARTICLE ABOVE.

ADVANTAGES AND BENEFITS OF SPACE SHUTTLE COLUMBIA ARGUED

1. THE SPACE SHUTTLE COLUMBIA. What a marvelous piece of DESIGN work; unique, one of a kind, in a world of it's own. it all came from me; The PETITIONER'S mind, I clame all Rights and privilages to her. She is the future as far as mankind Space Travel is concern. The advantages of having this design in reality is as follows.

(a) The present day advantages of having a Space Shuttle is astronomical; example, approximately 95% of all SATELLITE that are in the outer Earth atmosphere were installed by the SPACE SHUTTLE SYSTEM; because of it's unique ability to be used over and over again repeatedly with minimum prepration of it self for return trips. after facing the riggers of the Universe it even returns and land on a regular Run-Way; what more could you ask of such a DESIGN.

(b) For years, men have gazed into the outer Space with little or on hope of ever getting there; Now, with the Space Shuttle Columbia being the first of many Sister Ships; it's possible to make the trip almost at wil, every week if needbe. you dont have to listen for some far distant Space Signal or transmission;" you can be out there with them in 1999 and talk to them face to face in reality, as fuel permits." All made possible by Space Shuttle Columbia and her sister Space Ships.

(c) Satellite Transmission; because of the Space Shuttle Columbia and sister Ships, you may FAX A MESSAGE in writing from washington,DC to almost any country or business on the face of the Earth; because of Satellite Transmission, the Pentagon may count it's troops on the Battle Field of Bosnia Yugoslavia or Saudi Arabia by way of Telavision on a daily basis, because of Satellite Transmission, the Weather Man may pin-point Weather conditions with almost perfict accuracy and precision, all due to the Space Technology made possible by way of SPACE SHUTTLE COLUMBIA and her sister ships.

(d) Cell phone communication is as convenient as one would waunt them to be; from mid-night lying in your bed to conducting Business in the Oil-Fields of Saudi.Arabia, what ever the ocasion is, your cell phone can get you there as quickly as your finger tips will allow; and with percision; be it ten thousand miles (10,000 ml.),a-way or just in the other room of your house, all made possible through Satellite Transmission,because THE SPACE SHUTTLE COLUMBIA and Sister Ships; DESIGN by Petitioner Andrew M. Franklin in the approximate year of 1980.

in view of the above benefits derived from the Designing of Space Shuttle Columbia (PRO.TO.TYPE). I can't understand why you will have any kind of difficoulty approving PAYMENT forit's DESIGN work. It all came from me,Petitioner, A CITIZEN OF THE U.S.A.,A RED BLOODED AMERICAN, A VETERAN OF FOREIGN WARS, A CHILD OF GOD, A BELIEVER IN THE CONSTITUTION OF THE U.S., WHO JUST HAPPONED TO BE THE FIRST HEIR OF THE EARTH and I AM RELIGION.

HORN

UNITED STATES.DISTRICT COURT
OF FEDERAL CLAIMS

ANDREW M. FRANKLIN Plaintiff, V. UNITED STATES, Defendants.	)	Case No. 98-679 C MEMORANDUM OPINION

1. Before the Court is defendant's motion for summary Judgment (Docket No. 98-679 C), Plaintiff's memorandum in opposition (Docket No. 98-679), and defendant's reply (Docjet No. 98-5163). For the reasons discussed below.

1.BACKGROUND

Plaintiff, Andrew M.Franklin filed a Petition as a long over-due Complaint against the United States Government 9-10-98 in reference to notification forwarded to the EXECUTIVE CONGRESS OF THE UNITED STATES OF AMERICA; About one year ago, other Complaints on the same subject as many as four (4) years ago, claiming Original Design of one VERTICLE TAKE-OFF JET FIGHTER AIR PLANE, one COLUMBIA SPACE SHUTTLE CRAFT (PRO.TO.TYPE), one PARACHUTE AIRPLANE LANDING (Safety Device).,propose, and ONE GEAR DRIVEN WRENCH; as is manufactured by the country of TAIWAN CHINA by -way of, Believe; foul-play etc. U.S. GOVERNMENT INFRINGEMENT. For the above reasons I am FILING SUITS FOR RELIEF OF DAMAGES.

2. Petitioner case against the U.S. Government is based on the Constitution of the U.S. Section 8.8,(ARTICLE, FIRST AMMN., SIXTH AMMN. and the 14 AMMN), IMPLIED CONTRACT. This is my effort to gain PAYMENT for Designing of these four (4) pieces of equipment as stated above.

HORN

IN THE UNITED STATES COURT
OF FEDERAL CLAIMS

ANDREW M. FRANKLIN,

Plaintiff,

V.

UNITED STATES

Defendant

Cade No. 98-679 C

Filed: AUG. 25,1998

JUDGMENT ENTRY

Pursuant to the court's Order, filed Aug. 25, 1998,

IT IS ORDERED AND ADJUDGED this date, pursuant to Rule 58 ? , that the complaint is dismissed with prejudice.

Margaret M. Earnest

Acting Clerk of Court

Aug. 26, 1998

By: _____

Deputy Clerk

MARIAN BLANK HORN
Judge

NOTE: As to appeal, 60 days from this date, see RCFC 72, re number of copies and listing of all plantiffs. Filing fee is $105.00

The above ACTION was TIMELY APPEAL 8-29-98

1. This is an OBJECTION to the dismissal of petitioner's COMPLAINT AUG. 25 1998. please waiver limitations; but LIMITED to full DAMAGES as stated in SUIT plus to be DETERMINED . RULE 46.2

A 27

No. 98-5163

UNITED STATES COURT OF APPEALS
FOR THE FEDERAL CIRCUIT

ANDREW M. FRANKLIN,

Plaintiff-Appellant,

V.

UNITED STATES

Defendents-Appellees.

ORDER

JUDGMENT

ON APPEAL From the UNITED STATES COURT OF FEDERAL CLAIMS
IN CASE NO(S). 98- CV-679

This CAUSE having been heard and considered,itis

ORDERED and ADJUDGED:

AFFIRMED

ENTERED BY ORDER OF THE COURT

DATED JAN 11 1999

Jan Horbaly, Clerk

ISSUED AS A MANDATE: MARCH 4, 1999

NOTE:
I AM RELIGION, AS STATED IN THE CONSTITUTION U.S.A. First Amm,, V1 par.#3 .YOU HAD NO RIGHT OR AUTHORITY TO JUDGE THIS PETITIONER.
PLEASE WAIVE ALL JUDGMENTS and Grant my Request.

REV. 11:2 But the court which is without the TEMPLE leave out, and measure it not; for it is given unto the Gentiles: and the holy city shall they tread under foot forty and two months.

Petitioner is a member of that TEMPLE stated above. you have no JURISDICTION over Petitioner court wise.

Please WAIVE all CROSS PETITION where this case is concern RULE 12.5. etc.

IN CONCLUSION

THE FOUNDATION OF GOD'S THRONE IS RIGHTEOUSNESS, TRUTH, AND JUSTICE, OUT OF THE ABOVE, THE MORAL LAW WAS FORMED; I AM INVOKING THE AUTHORITY OF THE MORAL LAW (THE WILL OF GOD), MEDIATED BY SUCH REPRESENTATIVE AUTHORITIES AS THE BIBLE AND THE CHURCH. BY THE POWER INVESTED IN ME; PETITIONER, I AM ASKING THE COURT TO GRANT PETITIONER'S REQUEST IMMEDIATELY. I AM RELIGION.

CL-A

ARCHANGEL ANDREW M. FRANKLIN FIRST HEIR
1631 JOHNSON STREET EARTH.
ORANGRBURG,S.C. 29115
531-8287 c/o
Monique Franklin.(ONLY)